

## MINUTES

### COUNCIL ADMINISTRATOR FORM OF GOVERNMENT FOR AIKEN COUNTY

COUNCIL CHAMBERS, 736 RICHLAND AVENUE, W., AIKEN, S. C.

REGULAR MEETING – OCTOBER 21, 2003 – 7:00 P. M.

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#### (A) CALL TO ORDER

Determining that a quorum was present, Chairman Young called the meeting to order. Chairman Young stated that Councilwoman McKenzie was recovering from surgery and would not be in attendance.

Council Members present:

Chairman Ronnie Young  
Kathy Rawls  
Scott Singer  
Chuck Smith  
Eddie Butler  
Charles Barton  
Rick Osbon  
Willar H. Hightower, Jr.

Council Members absent:

LaWana McKenzie

Also present:

J. Clay Killian, County Administrator  
Robert M. Bell, County Attorney  
Tamara Sullivan, Council Clerk

#### (B) INVOCATION

Councilman Hightower led in the invocation.

#### (C) PLEDGE OF ALLEGIANCE

Eagle Scout, Mr. Jon Ecklund led in the Pledge of Allegiance.

#### (D) APPROVAL OF MINUTES

1. September 16, 2003 Worksession
2. September 16, 2003 Special Meeting
3. September 16, 2003 Regular Meeting

- a. Councilman Smith made a motion to approve the minutes. Councilwoman Rawls seconded.
- b. The minutes were approved by unanimous vote.

#### (E) APPROVAL OF AGENDA

- a. Councilwoman Rawls made a motion to amend and approve the agenda as follows:
  1. Delete Old Business Item 1.
  2. Delete Consent Item 23.

3. Correct Consent Item 20 – Should read “Ventures” not “Verenes” and add a cap of \$65,000.

- b. Councilman Osbon seconded the motion.
- c. The amended agenda was approved by unanimous vote.

(F) AWARDS AND RECOGNITIONS

1. Recognition of Mr. Jon Ecklund for Earning Eagle Scout Rank.  
(Singer)
  - a. Councilman Singer made his presentation to Mr. Ecklund.
2. Proposed Resolution Expressing Congratulations to the Monsignor George Lewis Smith Council #3684 Knights of Columbus on Their Fiftieth Anniversary.  
(County Council)
  - a. Councilman Singer moved for the adoption. Councilman Osbon seconded.
  - b. Passed by unanimous vote.
3. Proposed Resolution to Recognize and Commend Mrs. Katherine Ferguson for Her Service as a Member of the Aiken County Historical Commission and for Her Overall Public Spirited Support of the Community of Aiken County.  
(McKenzie)
  - a. Councilman Butler made a motion to approve the Resolution. Councilman Hightower seconded.
  - b. Passed by unanimous vote.

(G) PUBLIC HEARINGS

1. Proposed Ordinance to Revoke the Cable Television Franchise Held by Knology of Augusta, Inc.
  - a. No comments were made.
2. Proposed Resolution to Authorize the Council Chairman to Execute a Lease with MDM Services Corporation for Office Space at the Cooperative Research Center.
  - a. No comments were made.
3. Proposed Resolution to Authorize the Council Chairman to Execute a Lease with South Carolina H<sub>2</sub> Coalition for Office Space at the Cooperative Research Center.
  - a. No comments were made.
4. Request for Approval of a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 00-180-0-01-048 Located Off Old E. Pine Log Road in Council District 8 from RD to UD.
  - a. No comments were made.

5. Request for Approval of a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 00-163-0-01-155 Located at 2015 Gray Mare Hollow Road (S-2-146) in Council District 2 from RC to RD.
  - a. Mr. Gary Allen, owner of the property, and Councilman Singer spoke in favor of the rezoning request.
6. Proposed Resolution to Change the Official Road Name of Hounds Tooth Road (C-2499) to Silver Fox Way (C-2412) and Become an Extension of Silver Fox Way an Existing County Paved Road in County Council District 5.
  - a. No comments were made.

(H) OLD BUSINESS

1. Proposed Ordinance to Establish a Policy for Providing Public Works Assistance to Municipalities in Aiken County.  
(Development Committee) (Third Reading)  
  
DELETED
2. Proposed Ordinance to Amend the Aiken County Code of Ordinances to Establish a Policy for the Application and Acceptance of Grants.  
(Administrative Committee) (Third Reading)
  - a. Councilman Hightower made a motion for the approval. Councilman Singer seconded.
  - b. Passed by unanimous vote.
3. Proposed Ordinance to Amend Section 2-198 of the Aiken County Code of Ordinances Describing the Duties of the Clerk of Council.  
(Administrative Committee) (Third Reading)
  - a. Councilman Smith moved for the adoption. Councilman Osbon seconded.
  - b. Passed by unanimous vote.
4. Proposed Ordinance to Adopt the Ordinance Summons, Pursuant to S.C. Code Ann. Section 56-7-80 (1976) as Amended, and to Provide for its Use in Aiken County.  
(Judicial and Public Safety Committee) (Third Reading)
  - a. Councilman Singer made a motion for approval of the Ordinance. Councilman Smith seconded.
  - b. Passed by unanimous vote.
5. Proposed Ordinance to Amend Section 16.2, Parks Rules and Regulations of the Aiken County Code of Ordinances to Clarify its Meaning and to Add a Provision for the Disposal of Pet Waste.  
(Development Committee) (Third Reading)
  - a. Councilwoman Rawls made a motion for the adoption. Councilman Hightower seconded.
  - b. Passed by unanimous vote.

6. Proposed Ordinance to Delete Section 14.1 Handicapped Parking of the Aiken County Code of Ordinances.  
(Development Committee) (Third Reading)
  - a. Councilman Butler moved for the adoption. Councilman Osbon seconded.
  - b. Passed by unanimous vote.
7. Proposed Ordinance to Issue Capital City Ambulance Service a Franchise to Operate a Private Ambulance Service in Aiken County for a Three Year Period Ending December 1, 2006.  
(Judicial and Public Safety Committee) (Third Reading)
  - a. Councilman Barton made a motion for the approval. Councilman Osbon seconded.
  - b. Passed by unanimous vote.
8. Remove from the Table of a Proposed Resolution to Authorize the Release of Funding Approved in the Aiken County FY 2004 General Fund Operating Budget for Aiken Technical College.  
(Administrative Committee)
  - a. Councilman Osbon made a motion to remove the Resolution from the Table. Councilman Singer seconded.
  - b. The motion to remove from the Table passed by majority vote with Councilwoman Rawls and Councilman Hightower voting in opposition.
  - c. Councilman Osbon made a motion to approve the Resolution. Councilman Singer seconded.
  - d. Councilman Smith made an amendment motion that the .9 mil be released to Aiken Technical College contingent upon having a voting Board member assigned from Aiken County Council. This .9 mil funding allocation will run concurrent only as long as the voting Board member from the Aiken County Council resides on the Aiken Technical Institute Governing Board.
  - e. The amendment motion died for lack of a second.
  - f. Councilman Osbon made an amendment that before these funds are reallocated in next years budget, it be evaluated and reviewed that Aiken County does have a voting member sitting on the Board.
  - g. Councilman Singer seconded the amendment.
  - h. The amendment failed for lack of a majority with Councilman Singer, Councilman Barton, Councilman Osbon and Chairman Young voting in favor. Councilwoman Rawls, Councilman Smith, Councilman Butler and Councilman Hightower voted in opposition.
  - i. Councilman Butler called for the question.
  - j. The original Resolution passed by majority vote with Councilman Singer, Councilman Smith, Councilman Barton, Councilman Osbon, and Chairman Young voting in favor. Councilwoman Rawls, Councilman Butler and Councilman Hightower voted in opposition.

(I) CONSENT AGENDA/INTRODUCTION OF ORDINANCES FOR FIRST READING

I. REGULAR CONSENT AGENDA

1. Proposed Resolution to Appoint One Member to Designated Boards, Commissions and Committees with Terms of the Appointees to Run Concurrent with that of the Councilmember from Districts 1, 2, 3, 4, 5, and 6.  
(Rawls, Singer, McKenzie, Smith, Butler, Barton)
2. Proposed Resolution to Make One Appointment to the Lower Savannah Council of Governments Board of Directors.  
(County Council)
3. Proposed Resolution to Appoint Two Members to the Lower Savannah Workplace Development Board.  
(Development Committee)
4. Proposed Resolution to Approve the Allocation of Funds for Various Non Profit Agencies from the FY 2004 Council Contingency Fund.  
(County Council)
5. Proposed Resolution to Recognize and Commend the United States Polo Association for its Dedication to Preserving the History and the Sport of Polo Throughout the United States.  
(County Council)
6. Proposed Resolution to Direct that Speed Limit Signs be Erected on North Street (C-487) Located in Council District 2 and on Alpine Drive (C-2167) Located in Council District 7.  
(Singer, Osbon)
7. Proposed Resolution to Change the Official Road Name of Hounds Tooth Road (C-2499) to Silver Fox Way (C-2412) and Become an Extension of Silver Fox Way an Existing County Paved Road in County Council District 5.  
(Butler)
8. Proposed Resolution to Assign the Official Road Name of Spirit Lane to an Existing Unnamed Private Road in County Council District 7.  
(Osbon)
9. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with Pave-Way of Augusta for the Crooked Creek Road Paving Project.  
(Development Committee)
10. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with Anderson Fire & Safety for Scott Air Packs on Contract.  
(Judicial and Public Safety Committee)
11. Proposed Resolution to Authorize the Council Chairman to Execute a Lease with MDM Services Corporation, for Office Space at the Cooperative Research Center.  
(County Council)
12. Proposed Resolution to Authorize the Council Chairman to Execute a Lease with South Carolina H<sub>2</sub> Coalition, for Office Space at the Cooperative Research Center.  
(County Council)

13. Proposed Resolution to Establish the Days that the Christmas Holidays will be Observed in Calendar Year 2004.  
(Administrative Committee)
14. Proposed Resolution to Authorize the Aiken County Registration/Elections Commission to Execute an Agreement with the Town of Wagener to Conduct a Municipal Election on November 4, 2003.  
(Development Committee)
15. Proposed Resolution to Authorize the Council Chairman to Execute an Agreement with the Boys and Girls Club of Aiken, Inc. for Use of the Aiken County Recreation Center.  
(Development Committee)
16. Proposed Resolution to Authorize the Council Chairman to Execute an Agreement with Lyles Data for a Computer Module to Allow for the Online Payment of County Taxes.  
(Administrative Committee)
17. Proposed Resolution to Grant a Waiver to ComCast Cable Communications, Inc. from Section 5.5-10 (b)(2) Requiring a Local Office.  
(Development Committee)
18. Proposed Resolution to Waive Usage Fees for Political Caucuses at the White Pond Community Center.  
(Rawls)
19. Proposed Resolution to Request the Aiken County Legislative Delegation and County Transportation Committee to Authorize C-Funds to be Utilized for Resurfacing County Roads, Including Those in Bradley Terrace.  
(Development Committee)
20. Proposed Resolution to Authorize the County Administrator to Direct Public Works/ Engineering Department Staff to Assist the City of Aiken with Grading for an Economic Development Project at Ventures Industrial Park.  
(Development Committee)
21. Proposed Resolution to Authorize the Central Procurement Division to Purchase a Mobile Command Center Vehicle from Custom Truck & Body.  
(Judicial and Public Safety Committee)
22. Proposed Resolution to Authorize the Council Chairman to Execute an Agreement with David Kriegel, MD for Medical Services at the Aiken County Detention Center.  
(Judicial and Public Safety Committee)
23. Proposed Resolution to Authorize the Council Chairman to Execute an Agreement with the Lower Savannah Council of Governments for Hazard Mitigation Planning Services.  
(Judicial and Public Safety Committee)
- DELETED
24. Proposed Ordinance to Revoke the Cable Television Franchise Held by KNOLOGY of Augusta, Inc.  
(County Council) (Second Reading)

II. CONSENT AGENDA/INTRODUCTION OF ORDINANCES FOR FIRST READING

25. Proposed Ordinance to Provide for the Adoption of an Annual Operating Budget for the Mattie C. Hall Health Care Center for the Fiscal Year Beginning January 1, 2004 Through December 31, 2004, and to Provide for Related Matters Thereto.  
(Administrative Committee)
26. Proposed Ordinance to Amend Chapter 5, Building Regulations of the Aiken County Code of Ordinances.  
(Development Committee)
  - a. Councilman Smith made a motion to approve the Consent Agenda. Councilman Osbon seconded.
  - b. Councilman Singer asked to be recorded as abstaining on Consent Item 19.
  - c. The Consent Agenda passed by unanimous vote.

(J) NEW BUSINESS

1. Request for Approval of a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 00-180-0-01-048 Located Off Old E. Pine Log Road in Council District 8 from RD to UD:
  - A. Proposed Ordinance to Approve a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel Located Off Old E. Pine Log Road in Council District 8 from RD to UD.  
(Hightower) (First Reading)  
or
  - B. Proposed Resolution to Disapprove a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel Located Off Old E. Pine Log Road in Council District 8 from RD to UD.  
(Hightower)
    - a. Councilman Hightower made a motion to approve the Ordinance under Item A. Councilwoman Rawls seconded.
    - b. The Ordinance passed first reading by unanimous vote.
2. Request for Approval of a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 00-163-0-01-155 Located at 2015 Gray Mare Hollow Road (S-2-146) in Council District 2 from RC to RD:
  - A. Proposed Ordinance to Approve a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 00-163-0-01-155 Located at 2015 Gray Mare Hollow Road (S-2-146) in Council District 2 from RC to RD.  
(Singer) (First Reading)  
or
  - B. Proposed Resolution to Disapprove a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 00-163-0-01-155 Located at 2015 Gray Mare Hollow Road (S-2-146) in Council District 2 from RC to RD.  
(Singer)

- a. Councilman Smith made a motion to approve the Ordinance under Item A. Councilman Singer seconded.
- b. The Ordinance passed first reading by unanimous vote.

(K) PUBLIC PRESENTATIONS

- 1. Presentation  
(Mr. Fielding Freed, State of the Park, Redcliffe Plantation)
  - a. Mr. Freed gave Council a brief synopsis on the history of Redcliffe Plantation and the many amenities the Park has to offer.

(L) ITEMS FOR INFORMATION AND THE PUBLIC RECORD

- 1. Fiscal Year 2004 Aiken County Contingency Report as of September 17, 2003.

(M) INFORMAL MEETING OF WHOLE

- a. Mr. Franklin Jackson, Bath Water, Sewer and Fire Department, asked if there was any funding in the budget for the replacement of an ambulance.
- b. Mr. Killian replied that the County had \$421,000 for capital equipment replacement. Of that amount, \$171,000 was earmarked for the Sheriff's Office for vehicle replacement. The remaining \$250,000 is intended for all other County vehicle and equipment replacement. A list prioritizing vehicle replacement needs is being compiled. Mr. Killian added that he was aware that there was a need for ambulance replacement.
- c. Mr. Jackson asked if the County could put in a ramp at Langley Pond by the dam and also one at Pleasure Island.
- d. Councilman Osbon made a motion to recess for Executive Session. Councilwoman Rawls seconded.
- e. The motion recess passed by unanimous vote.

RECESSED – 7:44 P. M.

(N) EXECUTIVE SESSION

- 1. Legal Matters:
  - a. Status Report on Pending Litigation, Legal Claims and Legal Advice.  
(County Attorney) (Verbal)
- 2. Contractual Matters:
- 3. Personnel Matters:

RECONVENED – 9:05 P. M.

- a. Councilman Osbon made a Voice Motion to give first reading to an Ordinance authorizing the amendment of that certain grant award agreement between Aiken County, South Carolina and the South Carolina Department of Commerce, dated January 10, 2002



and accepted February 5, 2002; the execution, delivery and performance by Aiken County of a fiber construction agreement, a management agreement, a collection site agreement and a license agreement between Aiken County and SCANA Communications, Inc; and certain other agreements and matters related thereto.

- b. Councilman Smith seconded the Voice Motion.
- c. The Ordinance passed first reading by Voice Motion by unanimous vote.
- d. Councilman Osbon made a Voice Motion to free up the \$134,000 allocated in the Budget for full time positions at the Detention Center, with the money to be used to fund “floater” instead of full time positions.
- e. Councilman Smith seconded the motion.
- f. The Voice Motion was approved by unanimous vote.
- g. Councilman Smith made a motion to adjourn the meeting. Councilman Hightower seconded.
- h. The motion to adjourn passed by unanimous vote.

(O) ADJOURNMENT – 9:08 P. M.

Respectfully submitted,

SIGNED:

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Tamara Sullivan, Council Clerk

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Ronnie Young, Chairman